

Suggested Steps for Implementation of District Copyright Policy and Guidelines

- Develop a complete copyright policy to be approved by the local board of education.
- Establish district guidelines and procedures for the use of copyrighted materials.
- Organize staff development sessions to address copyright law and guidelines and the importance of compliance in the district for all staff members.
- Establish procedures and conduct training for students in the use of copyrighted materials which may be incorporated into their presentations and / or portfolios.
- Identify an administrator at both the district and building level to monitor compliance with copyright law and guidelines. The monitor should **not** be a member of the building teaching staff as this creates a 'watchdog' situation and most likely, an adversarial rather than a collaborative atmosphere.

Information

Sources of information include :

Copyright Issues in Schools:
Learn how to protect yourself
and your school from violating
copyright law. Margaret-Ann F.
Howie, LRP Publications, 1997.

Fair Use Guidelines for
Educators. Compiled by Linda
K. Enghagen, J.D., Sterling
Publications, 1997.

Software Use and the Law: A
Guide for Individual Business,
Educational Institutions, and
User Groups. Software
Publishers Association,
(202) 452-1600.

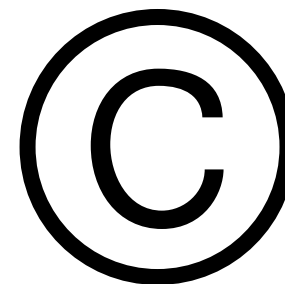
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the state of Missouri.

Schools and Copyright

**What do
Superintendents
need to know
to protect
their districts from
copyright violations?**



Ignoring this symbol
could lead to
ugly publicity,
extensive litigation,
and stiff financial penalties.

Did you know?

- Computer software violations are a **felony** and Missouri educators will lose their certificate if convicted of a felony.
- **No** videotape may be used for entertainment, reward, or time-fillers without obtaining public performance rights.
- “Bounty-hunters” are hired by some companies to identify and report violators of copyright law and guidelines.



- Information found on the Internet is copyrighted unless accompanied by a message explicitly permitting duplication.
- Copying for the purpose of teaching is not **automatically** legal.
- Technology allows easy duplication but does not necessarily make the duplication legal. In other words, just because you **can** does not mean you **may**.

Types of Infringement

- **innocent** = an educator has made every effort to comply with copyright law by following guidelines but unknowingly overlooked something.
- **standard** = an educator makes no effort to become informed about or comply with copyright law and guidelines.
- **willful** = an educator is aware of but chooses to disregard copyright law and guidelines.



Infringement Discovery

- Some companies require sales representatives to report observed copyright infringements.
- Discovery of infringements can be as simple as a parent or school visitor noticing a violation in a school publication or at a school event and reporting the discovery.

Infringement Penalties

- \$500 to \$20,000 per work infringed upon.
- Up to \$100,000 in cases of willful infringement.
- \$20,000 per violation per day in cases of computer software. Computer software violations are a felony and Missouri educators will lose their certificate if convicted of a felony.



Infringement Law Suit

- The person who violates the law is the primary offender.
- The board of education, superintendent, curriculum director, principal, etc. can be sued.
- Secondary offenders having knowledge of the infringement (contributory and / or vicarious infringers).